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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 United States of America,
10
11 Plaintiff,
12 v.
13 Daniel Blas-Torrealba,
14 Defendant.

No. CR-20-00507-001-TUC-SHR (MSA)

**MAGISTRATE JUDGE FINDINGS
AND RECOMMENDATION UPON
ADMISSION(S)**

15 Upon defendant's request to enter admission(s) of guilt to the allegation(s) that
16 he/she violated the conditions of supervised release this matter was referred to the
17 Magistrate Judge by the District Court, with the written consent of the defendant, counsel
18 for the defendant, and counsel for the United States.

19 Thereafter, in open court and on the record, the matter came on for hearing on
20 defendant's admission(s) to the allegation(s) in the Petition to Revoke before the
21 Magistrate Judge.

22 In consideration of that hearing and the admission made by the defendant under
23 oath on the record and in the presence of counsel, and the remarks of the Assistant United
24 States Attorney,

25 (A) I FIND as follows:

- 26 (1) that defendant is competent to admit the violation(s);
27 (2) that defendant understands the nature of the allegation(s) against him/her;
28 (3) that defendant understands his/her right to an evidentiary hearing and has

1 knowingly, intelligently and voluntarily waived his/her right to that
2 hearing;

3 (4) that defendant understands the sentencing options the Court may impose as
4 a result of his/her admission(s);

5 (5) that defendant has entered into a verbal agreement to admit allegation(s) 1,
6 A-2 and A-4 and it is agreed that remaining allegations, if applicable, in the
7 petition will be dismissed at disposition;

8 (6) that there is a factual basis for the defendant's admission(s);

9 (7) that the admission(s) by the defendant has/have been knowingly,
10 intelligently and voluntarily made and is/are not the result of force or
11 threats or of promises apart from the agreement between the parties;

12 (8) **AGREEMENT:**

13 ☒ There is no written agreement;

14 ☐ Written agreement submitted and defendant waives his/her right to
15 appeal the judgment and disposition of the supervised release;

16 ☐ Oral agreement of parties;

17 (9) **SENTENCE:**

18 ☐ The parties agree that the defendant will be sentenced to: __ months of
19 incarceration;

20 ☐ The government will recommend a period of incarceration not to
21 exceed the middle of the applicable guideline range under
22 U.S.S.G § 7B1.4(a) (Revocation Table), and not below the minimum of that
23 range, i.e. months incarceration;

24 ☐ Other, specifically;

25 (10) **SUPERVISED RELEASE/ADDITIONAL CONDITIONS:**

26 ☐ An additional term of __ months supervised release;

27 ☐ An additional term of supervised release to be determined by the
28 court;

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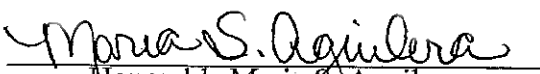
- ☐ No additional term of supervised release;
- ☐ Additional Conditions;

(11) **CONSECUTIVE/CONCURRENT:**

- ☒ There is no agreement regarding consecutive or concurrent sentences (or the issue is not applicable in this case);
- ☐ The government agrees that it will not take a position regarding this issue.

(B) I RECOMMEND that the District Court accept the defendant's admission(s).

Dated this 11th day of December, 2023.


Honorable Maria S. Aguilera
United States Magistrate Judge